

1 Thomas S. Brazier, Esq. SBN 055484
2 LaMORE, BRAZIER, RIDDLE & GIAMPAOLI
3 1570 The Alameda, Suite 150
4 San Jose, California 95126-2305
5 Telephone: (408) 280-6800
6 Facsimile: (408) 275-6284

E-FILED 4/6/07

7 Attorneys for Defendants
8 ELIASON RANCH TRUCKING, LLC
9 and TONY FLOYD

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION

12 EDWARD HALL

Plaintiff,

Case No.: C06-07197 RS ADR

13 v.

14 ELIASON RANCH TRUCKING, LLC
and DOES 1 through 10.

15 Defendants.

16 LIBERTY MUTUAL FIRE INSURANCE
17 COMPANY,

Case No. C 07-00416 RS

18 Plaintiff,

19 TONY FLOYD, ELIASON RANCH
20 TRUCKING, LLC and DOES 1 through 25,
inclusive,

21 Defendants.

22
23 **STIPULATION OF PARTIES TO CONSOLIDATE RELATED CASES;**

24 ~~PROPOSED ORDER~~

1 WHEREAS, Plaintiff Edward Hall filed his state court complaint alleging on or about
 2 October 30, 2004, a truck owned by Eliason Ranch Trucking and operated by its driver, Tony Floyd,
 3 collided with a car driven by Plaintiff Edward Hall at the Dole Packaging Plant in Marina, California
 4 (hereinafter "accident"). Said action was filed in Monterey County Superior Court under Case No.
 5 M81423. The case is entitled *Edward Hall v. Eliason Ranch Trucking, et al.* That action was removed
 6 to United States District Court for the Northern District of California, San Jose Division, on or about
 7 November 20, 2006 and is designated as Case No. C 06-07197 RS ADR;

8 WHEREAS, a separate action arising out of the accident has been filed in state court by Liberty
 9 Mutual Fire Insurance Company, the worker's compensation carrier which has allegedly paid benefits
 10 to, and on behalf of, Plaintiff Hall for injuries he alleged sustained in the accident. Eliason Ranch
 11 Trucking and Tony Floyd are named as defendants. The case is entitled *Liberty Mutual Fire Insurance*
 12 *Company v. Tony Floyd, et al*, Monterey County Superior Court, Case No. M81497. This case was
 13 removed to the United States District Court for the Northern District of California, San Jose Division, on
 14 or about January 22, 2007 and is designated as Case No. C 07-00416 RS;

15 WHEREAS, on or about February 14, 2007, the cases were assigned to a single judge, namely,
 16 Richard Seeborg, United States Magistrate Judge.

17 WHEREAS, the parties to both cases desire to consolidate these related matters for all purposes,
 18 including all pre-trial matters and trial.

19 NOW THEREFORE, the parties, through their respective counsel of record, hereby stipulate to
 20 consolidate *Edward Hall v. Eliason Ranch Trucking*, Case No. C 06-07197 RS ADR, with *Liberty*
 21 *Mutual Fire Insurance Company v. Tony Floyd, et al*, Case No. C 07-00416 RS, for all purposes,
 22 including trial.

23 Dated: APRIL 3, 2007

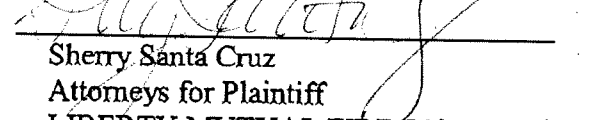
ALEXANDER, HAWES & AUDET, LLP

By: 

Richard Alexander
 Jeff Rickard
 Attorneys for Plaintiff
 EDWARD HALL


1 Dated: 3/30, 2007

BROWNWOOD, CHAZEN & CANNON

2
3 By: 
4 Sherry Santa Cruz
5 Attorneys for Plaintiff
6 LIBERTY MUTUAL FIRE INSURANCE
7 COMPANY

8 Dated: 3/28, 2007

LaMORE, BRAZIER, RIDDLE & GIAMPAOLI


9 By: 
10 THOMAS S. BRAZIER
11 Attorneys for Defendants
12 ELIASON RANCH TRUCKING, LLC and
13 TONY FLOYD

14 ~~PROPOSED~~ ORDER

15 Pursuant to the Stipulation above, the above-captioned matters are hereby consolidated under
16 Case No. C06-07197 RS (*Edward Hall v. Eliason Ranch Trucking*).

17 IT IS SO ORDERED.

18 Dated: April 6, 2007

19 
20 Richard Seeborg
21 United States Magistrate Judge
22
23
24
25
26
27
28


1 Dated: _____, 2007

BROWNWOOD, CHAZEN & CANNON

2
3 By: _____
4 Sherry Santa Cruz
5 Attorneys for Plaintiff
6 LIBERTY MUTUAL FIRE INSURANCE
7 COMPANY

8
9 Dated: 3/28, 2007

LaMORE, BRAZIER, RIDDLE & GIAMPAOLI

10 By:  _____
11 THOMAS S. BRAZIER
12 Attorneys for Defendants
13 ELIASON RANCH TRUCKING, LLC and
14 TONY FLOYD

15 **[PROPOSED] ORDER**

16 Pursuant to the Stipulation above, the above-captioned matters are hereby consolidated under
17 Case No. C06-07197 RS (*Edward Hall v. Eliason Ranch Trucking*).

18 IT IS SO ORDERED.

19 Dated: _____, 2007

20 _____
21 Richard Seeborg
22 United States Magistrate Judge
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I am a citizen of the United States and employed in the county aforesaid; I am over the age of eighteen years, and not a party to the within action; my business address is 1570 The Alameda, Suite 150, San Jose, California . On the date set forth below I served the documents described below:

**STIPULATION OF PARTIES TO CONSOLIDATE RELATED CASES;
PROPOSED ORDER**

on the following person(s) in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Sherry Santa Cruz, Esq.
Brownwood Chazen & Cannon
525 B Street, Suite 1300
San Diego, CA 92101
Telephone: (619) 744-6800
Facsimile: (619) 744-6814

**Attorneys for Plaintiff
LIBERTY MUTUAL FIRE INSURANCE
COMPANY**

Jeff Rickard, Esq.
Richard Alexander, Esq.
Alexander Hawes, LLP
152 N. Third Street, Suite 600
San Jose, CA 95112
Telephone: (408) 289-1776
Facsimile: (408) 287-1776

**Attorneys for Plaintiff
EDWARD HALL**

(Courtesy Copy)

☒ (BY MAIL) I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States mail at San Jose, California.

☐ (BY PERSONAL SERVICE) I caused such envelope(s) to be delivered by hand this date to the offices of the addressee(s).

☐ (BY FACSIMILE) I caused such document(s) to be transmitted by facsimile on this date to the offices of addressee(s).


☐ (BY FEDERAL EXPRESS) I caused such envelope(s) with all fees fully prepaid to be placed in the Federal Express office at San Jose, California.

☐ (STATE) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

☒ (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

EXECUTED on March 28, 2007, at San Jose, California.

15651-076


Sheila Mollett